



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY - REGION II

290 BROADWAY

NEW YORK, NEW YORK 10007-1866

R. Borsellino
Sil

APR 07 1995

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**Agreement No. V002555-84-B
Amendment B**

Robert C. Shinn, Jr., Commissioner
New Jersey Department of
Environmental Protection
428 East State Street, CN-420
Trenton, New Jersey 08625

Attn: E. David Barth

Subject: Combe Fill South Site Cooperative Agreement

Dear Commissioner Shinn:

I am pleased to enclose Amendment B to the referenced Cooperative Agreement which provides assistance to the New Jersey Department of Environmental Protection (NJDEP) for the above-referenced site. Your application dated March 30, 1995, as revised March 31, 1995, which requested \$661,597 has been approved in the amount of \$610,298. These funds are provided for the Remedial Design (RD) activities. In addition, the budget for Remedial Action (RA) activities is revised and the project period and budget period expiration dates are extended from December 31, 1997 to March 31, 1998.

As has been discussed between Silvina Fonseca of EPA and Craig Wallace of NJDEP, the difference between the amount requested and the amount awarded is due to revisions necessary to eliminate duplication of items included in the scope of work.

Your attention is directed to the conditions included in the amendment, particularly Condition No. 33, which limits costs chargeable to the agreement. Please note that funds for this increase will not be released to your Automated Clearinghouse (ACH) account until Condition No. 28, Financial Status Report, in Amendment No. V002555-84-9 has been met.

The enclosed agreement is forwarded to you in triplicate. Please sign and date all copies, retain one for your files and return two to this office, Attn: Tierre A. Jeanné, Chief,

515361



Grants Administration Branch. Completed documents must be returned within three calendar weeks of receipt, or within any extension of time as may be granted by the USEPA.

We look forward to an early acceptance.

Sincerely yours,



William J. Muszynski, P.E.
Deputy Regional Administrator

Enclosure

cc: Ronald S. Tuminski, NJDEP
Edward Putnam, NJDEP

U.S. ENVIRONMENTAL PROTECTION AGENCY EPA ASSISTANCE AGREEMENT / AMENDMENT PART I - ASSISTANCE NOTIFICATION INFORMATION						1. ASSISTANCE ID NO. V 002555-84-B		2. LOG NUMBER 02-V -										
						3. DATE OF AWARD MAR 31 1995		4. MAILING DATE APR 07 1995										
5. AGREEMENT TYPE <input type="checkbox"/> Cooperative Agreement <input type="checkbox"/> Grant Agreement <input checked="" type="checkbox"/> Assistance Amendment				6. PAYMENT METHOD <input type="checkbox"/> Advance <input type="checkbox"/> Reimbursement <input checked="" type="checkbox"/> ACH Number ACH-0200 #31 & #33 Limited to \$50,670,215 per SGCs Send Payment Request to: GRANTS ADMINISTRATION BRANCH						7. TYPE OF ACTION INCREASE AUGMENT								
RECIPIENT ORGANIZATION	8. RECIPIENT NJ DEPT. OF ENV. PROTECTION 428 EAST STATE STREET, CN-420 TRENTON, NJ 08625					9. PAYEE NJ DEPT. OF ENV. PROTECTION 428 EAST STATE STREET, CN-420 TRENTON, NJ 08625												
	EIN NO. 216000928B1		CONGRESSIONAL DISTRICT ALL			10. RECIPIENT TYPE STATE												
	11. PROJECT MANAGER AND TELEPHONE NO. EDWARD PUTNAM (609) 984-2990					12. CONSULTANT (WWT Construction Grants only) N/A												
EPA CONTACT	13. ISSUING OFFICE (CITY / STATE) US ENVIRONMENTAL PROTECTION AGENCY EPA REGION II GRANTS ADMINISTRATION BRANCH 290 BROADWAY NEW YORK, NY 10007-1866					14. EPA PROJECT / STATE OFFICER AND TELEPHONE NO. R. BORSELLINO, PROJECT OFFICER (212) 637-4380 C. HEMINGTON GRANTS SPECIALIST (212) 264-9860												
	15. EPA CONGRESSIONAL LIAISON & PHONE BARBARA BROOKS, (202) 260-5198			16. STATE APPL ID (Clearinghouse) NJ 92-1421		17. SCIENCE FIELD NA		18. PROJECT STEP (WWT Construction Grants Only) N/A										
19. STATUTORY AUTHORITY CERCLA: SEC. 104			20. REGULATORY AUTHORITY 40 CFR PTS 31, 35 SUBPT O			21. STEP 2 + 3 & STEP 3 (WWT Construction Grants Only) <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">a. Treatment Level</td> <td></td> </tr> <tr> <td>b. Project Type</td> <td>N/A</td> </tr> <tr> <td>c. Treatment Process</td> <td></td> </tr> <tr> <td>d. Sludge Design</td> <td></td> </tr> </table>					a. Treatment Level		b. Project Type	N/A	c. Treatment Process		d. Sludge Design	
a. Treatment Level																		
b. Project Type	N/A																	
c. Treatment Process																		
d. Sludge Design																		
22. PROJECT TITLE AND DESCRIPTION Combe Fill South Site - The Cooperative Agreement with the New Jersey Department of Environmental Protection (NJDEP) is increased by \$610,298 for Remedial Design (RD) activities. In addition, the budget for Remedial Action (RA) activities is revised and the project/budget period expiration is extended to 3/31/98.																		
23. PROJECT LOCATION (Areas Impacted by Project)																		
City / Place CHESTER & WASHINGTON TWPS			County MORRIS			State NJ		Congressional District 11										
24. ASSISTANCE PROGRAM (CFDA Program No. & Title) 66.802: Hazardous Substances Response Trust Fund				25. PROJECT PERIOD 12/30/83 - 03/31/98			26. BUDGET PERIOD 12/30/83 - 03/31/98											
27. COMMUNITY POPULATION (WWT Construction Grants Only) N/A			28. TOTAL BUDGET PERIOD COST \$57,087,621			29. TOTAL PROJECT PERIOD COST \$57,087,621												
FUNDS		FORMER AWARD		THIS ACTION		AMENDED TOTAL												
30. EPA Amount This Action		\$51,306,536		\$610,298		\$51,916,834												
31. EPA In-Kind Amount		0		0		0												
32. Unexpended Prior Year Balance		0		0		0												
33. Other Federal Funds		0		0		0												
34. Recipient Contribution		5,170,787		0		5,170,787												
35. State Contribution		0		0		0												
36. Local Contribution		0		0		0												
37. Other Contribution		0		0		0												
38. Allowable Project Cost		\$56,477,323		\$610,298		\$57,087,621												
FISCAL	Site Name		Document Control Number	FY	Approp.	Budget Organization	Program Element	Object Class	Site/Project	Cost Organization	Obligation / Deobligation							
	RD		HEO082	95	5T	2AHN	TFA	41.85	0256N		610,298							

PART-II - APPROVED BUDGET

SITE NAME: CONSOLIDATED/SUMMARY BUDGETASSISTANCE IDENTIFICATION: V 002555-84-B

Page 2 of 8

TABLE A - OBJECT CLASS CATEGORY (Non-construction)		TOTAL APPROVED ALLOWABLE BUDGET PERIOD COST
1. PERSONNEL		\$1,737,425
2. FRINGE BENEFITS		459,735
3. TRAVEL		27,454
4. EQUIPMENT		8,500
5. SUPPLIES		10,769
6. CONTRACTUAL		9,329,777
7. CONSTRUCTION		44,775,014
8. OTHER		17,000
9. TOTAL DIRECT CHARGES		\$56,365,674
10. INDIRECT COSTS: RATE % BASE <u>SEE BUDGETS</u>		721,947
11. TOTAL (Share: Recipient <u>0.00%</u> Federal <u>100.00%</u>) (RI/FS, RD)		\$57,087,621
12. TOTAL APPROVED ASSISTANCE AMOUNT	10.00% 90.00% (RA)	\$51,916,834
TABLE B - PROGRAM ELEMENT CLASSIFICATION (Non-construction)		
1. REMEDIAL INVESTIGATION/		\$0
2. FEASIBILITY STUDY (RI/FS)		1,374,581
3. REMEDIAL DESIGN (RD)		4,005,174
4. REMEDIAL ACTION (RA)		51,707,866
5.		0
6.		0
7.		0
8.		0
9.		0
10.		0
11.		0
12. TOTAL (Share: Recipient <u>0.00%</u> Federal <u>100.00%</u>) (RI/FS, RD)		\$57,087,621
13. TOTAL APPROVED ASSISTANCE AMOUNT	10.00% 90.00% (RA)	\$51,916,834
TABLE C - PROGRAM ELEMENT CLASSIFICATION (Construction)		
1. ADMINISTRATION EXPENSE		
2. PRELIMINARY EXPENSE		
3. LAND STRUCTURES, RIGHT-OF-WAY		
4. ARCHITECTURAL ENGINEERING BASIC FEES		
5. OTHER ARCHITECTURAL ENGINEERING FEES		
6. PROJECT INSPECTION FEES		
7. LAND DEVELOPMENT		
8. RELOCATION EXPENSE		
9. RELOCATION PAYMENTS TO INDIVIDUALS AND BUSINESS		
10. DEMOLITION AND REMOVAL		
11. CONSTRUCTION AND PROJECT IMPROVEMENT		
12. EQUIPMENT		
13. MISCELLANEOUS		
14. TOTAL (Lines 1 thru 13)		
15. ESTIMATED INCOME (if applicable)		
16. NET PROJECT AMOUNT (Line 14 minus 15)		
17. LESS: INELIGIBLE EXCLUSIONS		
18. ADD: CONTINGENCIES		
19. TOTAL (Share: Recipient _____ % Federal _____ %)		
20. TOTAL APPROVED ASSISTANCE AMOUNT		

PART II - APPROVED BUDGET

SITE NAME: RI/FS

ASSISTANCE IDENTIFICATION: V 002555-84-B

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TABLE A - OBJECT CLASS CATEGORY
(Non-construction)

**TOTAL APPROVED ALLOWABLE
BUDGET PERIOD COST**

1. PERSONNEL	\$195,386
2. FRINGE BENEFITS	48,840
3. TRAVEL	5,454
4. EQUIPMENT	0
5. SUPPLIES	1,019
6. CONTRACTUAL	1,039,382
7. CONSTRUCTION	0
8. OTHER	5,000
9. TOTAL DIRECT CHARGES	\$1,295,081
10. INDIRECT COSTS: RATE % BASE See Condition No. E.6.	79,500
11. TOTAL (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %)	\$1,374,581
12. TOTAL APPROVED ASSISTANCE AMOUNT	\$1,374,581

TABLE B - PROGRAM ELEMENT CLASSIFICATION
(Non-construction)

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12. TOTAL (Share: Recipient _____ % Federal _____ %.)	
13. TOTAL APPROVED ASSISTANCE AMOUNT	

TABLE C - PROGRAM ELEMENT CLASSIFICATION
(Construction)

1. ADMINISTRATION EXPENSE	
2. PRELIMINARY EXPENSE	
3. LAND STRUCTURES, RIGHT-OF-WAY	
4. ARCHITECTURAL ENGINEERING BASIC FEES	
5. OTHER ARCHITECTURAL ENGINEERING FEES	
6. PROJECT INSPECTION FEES	
7. LAND DEVELOPMENT	
8. RELOCATION EXPENSE	
9. RELOCATION PAYMENTS TO INDIVIDUALS AND BUSINESS	
10. DEMOLITION AND REMOVAL	
11. CONSTRUCTION AND PROJECT IMPROVEMENT	
12. EQUIPMENT	
13. MISCELLANEOUS	
14. TOTAL (Lines 1 thru 13)	
15. ESTIMATED INCOME (if applicable)	
16. NET PROJECT AMOUNT (Line 14 minus 15)	
17. LESS: INELIGIBLE EXCLUSIONS	
18. ADD: CONTINGENCIES	
19. TOTAL (Share: Recipient _____ % Federal _____ %.)	
20. TOTAL APPROVED ASSISTANCE AMOUNT	

PART II - APPROVED BUDGET

SITE NAME: RD

ASSISTANCE IDENTIFICATION: V 002555-84-B

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TABLE A - OBJECT CLASS CATEGORY (Non-construction)			TOTAL APPROVED ALLOWABLE BUDGET PERIOD COST
1. PERSONNEL			\$655,493
2. FRINGE BENEFITS			179,430
3. TRAVEL			7,000
4. EQUIPMENT			6,000
5. SUPPLIES			7,250
6. CONTRACTUAL			2,850,395
7. CONSTRUCTION			0
8. OTHER			12,000
9. TOTAL DIRECT CHARGES			\$3,717,568
10. INDIRECT COSTS: RATE	% BASE	See Condition No. E.6.	287,606
11. TOTAL (Share: Recipient <u>0.00%</u> Federal <u>100.00%</u>)			\$4,005,174
12. TOTAL APPROVED ASSISTANCE AMOUNT			\$4,005,174
TABLE B - PROGRAM ELEMENT CLASSIFICATION (Non-construction)			
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11.			
12. TOTAL (Share: Recipient _____ % Federal _____ %.)			
13. TOTAL APPROVED ASSISTANCE AMOUNT			
TABLE C - PROGRAM ELEMENT CLASSIFICATION (Construction)			
1. ADMINISTRATION EXPENSE			
2. PRELIMINARY EXPENSE			
3. LAND STRUCTURES, RIGHT-OF-WAY			
4. ARCHITECTURAL ENGINEERING BASIC FEES			
5. OTHER ARCHITECTURAL ENGINEERING FEES			
6. PROJECT INSPECTION FEES			
7. LAND DEVELOPMENT			
8. RELOCATION EXPENSE			
9. RELOCATION PAYMENTS TO INDIVIDUALS AND BUSINESS			
10. DEMOLITION AND REMOVAL			
11. CONSTRUCTION AND PROJECT IMPROVEMENT			
12. EQUIPMENT			
13. MISCELLANEOUS			
14. TOTAL (Lines 1 thru 13)			
15. ESTIMATED INCOME (if applicable)			
16. NET PROJECT AMOUNT (Line 14 minus 15)			
17. LESS: INELIGIBLE EXCLUSIONS			
18. ADD: CONTINGENCIES			
19. TOTAL (Share: Recipient _____ % Federal _____ %.)			
20. TOTAL APPROVED ASSISTANCE AMOUNT			

PART II - APPROVED BUDGET

SITE NAME: RA

ASSISTANCE IDENTIFICATION: V 002555-84-B

Page 5 of 8

TABLE A - OBJECT CLASS CATEGORY (Non-construction)			TOTAL APPROVED ALLOWABLE BUDGET PERIOD COST
1. PERSONNEL			\$886,546
2. FRINGE BENEFITS			231,465
3. TRAVEL			15,000
4. EQUIPMENT			2,500
5. SUPPLIES			2,500
6. CONTRACTUAL			5,440,000
7. CONSTRUCTION			44,775,014
8. OTHER			0
9. TOTAL DIRECT CHARGES			\$51,353,025
10. INDIRECT COSTS: RATE	% BASE	See Condition No. E.6.	354,841
11. TOTAL (Share: Recipient <u>10.00</u> % Federal <u>90.00</u> %)			\$51,707,866
12. TOTAL APPROVED ASSISTANCE AMOUNT			\$46,537,079
TABLE B - PROGRAM ELEMENT CLASSIFICATION (Non-construction)			
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11.			
12. TOTAL (Share: Recipient _____ % Federal _____ %)			
13. TOTAL APPROVED ASSISTANCE AMOUNT			
TABLE C - PROGRAM ELEMENT CLASSIFICATION (Construction)			
1. ADMINISTRATION EXPENSE			
2. PRELIMINARY EXPENSE			
3. LAND STRUCTURES, RIGHT-OF-WAY			
4. ARCHITECTURAL ENGINEERING BASIC FEES			
5. OTHER ARCHITECTURAL ENGINEERING FEES			
6. PROJECT INSPECTION FEES			
7. LAND DEVELOPMENT			
8. RELOCATION EXPENSE			
9. RELOCATION PAYMENTS TO INDIVIDUALS AND BUSINESS			
10. DEMOLITION AND REMOVAL			
11. CONSTRUCTION AND PROJECT IMPROVEMENT			
12. EQUIPMENT			
13. MISCELLANEOUS			
14. TOTAL (Lines 1 thru 13)			
15. ESTIMATED INCOME (if applicable)			
16. NET PROJECT AMOUNT (Line 14 minus 15)			
17. LESS: INELIGIBLE EXCLUSIONS			
18. ADD: CONTINGENCIES			
19. TOTAL (Share: Recipient _____ % Federal _____ %)			
20. TOTAL APPROVED ASSISTANCE AMOUNT			

a. GENERAL CONDITION

The recipient covenants and agrees that it will expeditiously initiate and timely complete the project work for which assistance has been awarded under this agreement, in accordance with all applicable provisions of 40 CFR Chapter I, Subchapter B. The recipient warrants, represents, and agrees that it, and all its contractors, employees and representatives, will comply with all applicable provisions of 40 CFR Chapter I, Subchapter B, INCLUDING BUT NOT LIMITED TO the provisions of 40 CFR Part 35 Subpart O.

b. TERMS AND CONDITIONS

The Proposed General Provisions included in the application are revised as follows:

Paragraph E.6. is deleted and is replaced with the following:

- E.6. The recipient shall submit to the EPA Grants Officer the negotiated indirect cost rate agreement for the period covered in this award document. The recipient shall not charge indirect costs to this award document until a rate is negotiated and accepted, and a copy of the accepted agreement is submitted to the EPA Grants Officer. Upon receipt of the negotiated agreement, the rate shall be incorporated into the award document.

The last sentence of Paragraph T is deleted and replaced with the following:

"As indicated in the March 31, 1995 revision to the application, this site is currently in the Remedial Action phase; all Quality Assurance plans relating to this site have previously been developed and approved, and have been submitted to EPA."

The following conditions are added:

32. REVISIONS TO TABLES AND BACKUP INFORMATION

Within 45 days of receipt of this agreement, the recipient shall submit to the EPA Project Officer for review and approval revised budget information and backup information corresponding to the amount approved in this amendment.

33. LIMITATIONS ON CHARGING COSTS - FINANCIAL STATUS REPORT

The recipient is precluded from charging costs to this cooperative agreement, and funds provided by this amendment will not be added to the EPA-Automated Clearinghouse (EPA-ACH), until Condition No. 28, Financial Status Report, in amendment No. V002555-84-9 has been met.

34. EPA-AUTOMATED CLEARINGHOUSE

The recipient agrees to the following conditions in accepting this assistance agreement for the EPA-Automated Clearinghouse (EPA-ACH) method of financing:

- (a) Cash draw down will be made only as actually needed for its disbursement;
- (b) The recipient will provide timely reporting of cash disbursements and balances as required by the EPA-ACH Recipient's Manual;
- (c) The recipient will impose the same standards of timing and reporting on secondary recipients, if any;
- (d) When a drawdown occurs under the EPA-ACH, the recipient will show on the voucher the Cooperative Agreement number, the appropriate EPA account number, and the drawdown amount applicable to each site/activity account and operable unit (as applicable), as indicated by the last digit of the "Site/Project" portion of the account number, as follows:
 - B - Pre-Enforcement Activity (Potentially Responsible Party Identification, Site Classification, Negotiations/Settlements)
 - H - Remedial Analysis (including Support Activities)
 - J - Pre-Remedial Activities (Discovery and Notification, Preliminary Assessment, Site Inspection, and Ranking Activities)
 - L - Remedial Investigation/Feasibility Study
 - N - Remedial Design
 - P - Oversight of Responsible Party Actions
 - R - Remedial Action
 - S - Operation and Maintenance
 - 2 - Judicial Enforcement
 - 3 - State/Federal Facility Liaison
 - 4 - General Enforcement
 - 7 - General Support and Management
- (e) When funds for a specific activity/operable unit (as applicable) have been exhausted but the work under the activity/operable unit has not been completed, the recipient will not draw down from another activity/operable unit or site account without written permission from EPA.
- (f) Funds remaining in an account after completing an activity/operable unit (as applicable) shall be returned to EPA or, with written permission from EPA, may be applied to another activity/operable unit or site.
- (g) When an activity/operable unit (as applicable) is completed, the recipient will submit a Financial Status Report (SF-269) within 90 days to the EPA Grants Officer.
- (h) The recipient will also submit the SF-269 within 90 days after the close of

SPECIAL CONDITIONS (continued)

each budget period. If the budget period is longer than one year the report will be submitted annually, based on the anniversary date of the award.

Failure on the part of the recipient to comply with the above conditions may cause the undisbursed portions of the EPA-ACH to be revoked and financing method changed to a reimbursable basis.

PART IV

NOTE: The Agreement must be completed in duplicate and the Original returned to the Grants Administration Division for Headquarters awards and to the appropriate Grants Administration Office for State and local awards within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time, may result in the withdrawal of the offer by the Agency. Any change to the Agreement by the recipient subsequent to the document being signed by the EPA Award Official, which the Award Official determines to materially alter the Agreement, shall void the Agreement.

OFFER AND ACCEPTANCE

The United States of America, acting by and through the U.S. Environmental Protection Agency (EPA), hereby offers assistance/amendment to the NJ DEPT. OF ENV. PROTECTION for 90% (RA) of all approved costs incurred up to and not exceeding \$46,537,079 (RA) for the support of approved budget period effort described in application (including all application modifications) cited in Item 22 of this Agreement \$5,379,755 (RI/FS, RD)

Combe Fill South Site dated 3/30/95 revised 3/31/95, included herein by reference.
DATE AND TITLE

ISSUING OFFICE (Grants Administration Office)

ORGANIZATION / ADDRESS

EPA REGION II
GRANTS ADMINISTRATION BRANCH
290 BROADWAY
NEW YORK, NY 10007-1866

AWARD APPROVAL OFFICE

ORGANIZATION / ADDRESS

REGIONAL ADMINISTRATOR OFFICE
US EPA, REGION II
290 BROADWAY
NEW YORK, NY 10007-1866

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

SIGNATURE OF AWARD OFFICIAL



TYPED NAME AND TITLE

WILLIAM J. MUSZYNSKI, P.E.
DEPUTY REGIONAL ADMINISTRATOR

DATE

MAR 31 1996

This agreement is subject to applicable U.S. Environmental Protection Agency statutory provisions and assistance regulations. In accepting this award or amendment and any payments made pursuant thereto, (1) the undersigned represents that he is duly authorized to act on behalf of the recipient organization, and (2) the recipient agrees (a) that the award is subject to the applicable provisions of 40 CFR Chapter I, Subchapter B and of the provisions of this agreement (Parts I thru IV), and (b) that acceptance of any payments constitutes an agreement by the payee that the amounts, if any found by EPA to have been overpaid will be refunded or credited in full to EPA.

BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION

SIGNATURE

TYPED NAME AND TITLE

ROBERT C. SHINN, JR.
COMMISSIONER

DATE